

FILED  
James J. Waldron, Clerk

FEB 22 2012

U.S. Bankruptcy Court, Newark, N.J.  
BY: *[Signature]* Deputy

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-2(c)

Michelle Labayen (ml2960)  
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In Re:  
Alfred and Michele Toscano

Case No.: 10-49627  
Chapter: 13  
Judge: Gambardella

**LOSS MITIGATION ORDER**

The relief set forth on the following page is hereby **ORDERED**.

*[Large handwritten signature over a horizontal line]*  
2-22-12 *WSJ* *Gambardella*

A Notice of Request For Loss Mitigation was filed by the debtor on 2/2/2012.

A Notice of Request For Loss Mitigation was filed by the creditor, \_\_\_\_\_ on \_\_\_\_\_

The court raised the issue of Loss Mitigation, and the parties having had notice and an opportunity to object, and the Court having reviewed any objections thereto, it is hereby

ORDERED that the parties listed below are directed to participate in Loss Mitigation and are bound by the court's *Loss Mitigation Program and Procedures* (LMP), and it is further

ORDERED that:

- Contact persons must be designated by all parties within 14 days from the entry of this order.
- Requests for information, if any, must be submitted to the opposing party, and counsel, within 14 days from the entry of this order.
- Responses to requests for information must be provided to the party and counsel making the request, within 21 days from receipt of the request.
- Within 60 days from the entry of this order, the debtor must file with the court and serve upon all interested parties the Local Form, Loss Mitigation Status Report.
- The Loss Mitigation process shall terminate on 5/22/2012 (90 days from the date of the entry of this order), unless extended as set forth in Section IX.B. of the Loss Mitigation Program and Procedures.
- The debtor must make adequate protection payments to the creditor during the Loss Mitigation Period in the amount set forth in the Notice and Request For Loss Mitigation. See Sections V.A.1 and VII.B. of the LMP.
- If a relief from stay motion pursuant to section 362(d) is pending upon entry of this Order or if such a motion is filed during the loss mitigation period, the court may condition the stay upon compliance by the debtor with the fulfillment of the debtor's obligations under the Loss Mitigation Order. If the debtor fails to comply with the loss mitigation process and this Order, the creditor may apply to terminate the Order as specified in Section IX.C of the LMP and to obtain relief from the stay.

Debtor: Alfred and Michele Toscano

Creditor: Wells Fargo Home Mortgage

Creditor: counsel Phelan, Hallinan & Schmieg PC C/O Jamie Fienberg

ORDERED that the Request for Loss Mitigation filed on \_\_\_\_\_ is denied.